

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55873 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- SAKRI District- Madhubani

Rupam Anand @ Rocky Son of Atul Kumar Das Resident of Pandaul Bazar
Ward No.- 15, P.S.- Pandaul, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan, Adv.

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 10-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sakri P.S. Case No. 91 of 2025 instituted for the offences under Sections 274, 275, 3(5) of B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 765 litres of foreign liquor was recovered from the room made of bricks. A motorcycle bearing Regd No. BR32AW-0792 was also recovered from there.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case.



The petitioner was neither apprehended on spot nor anything incriminating has been recovered from his conscious possession. The petitioner has four criminal antecedents as has been stated in paragraph no.3 of the present anticipatory bail application. The petitioner has got no concern with the alleged seized beer (foreign liquor) nor the petitioner has got any concern with the room from which the alleged recovery has been made as also the petitioner has never indulged in any trade of liquor. The name of the petitioner has surfaced in this case on the basis of the disclosures made by the apprehended co-accused and, except this, there is nothing adverse against the petitioner. The petitioner has no concern with the alleged occurrence or the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case.

5. Learned counsel for the petitioner further submits that the co-accused Santosh Das has been granted regular bail by this Court vide order dated 31.07.2025 passed in Cr. Misc. No. 50775 of 2025.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner, stating that the petitioner has four criminal antecedents of similar nature of offences.

7. Considering the entire facts and circumstances of



the case, this Court finds that this case is not a fit case for grant of anticipatory bail to the petitioner.

8. Accordingly, the prayer for anticipatory bail of the petitioner, above named, is rejected.

9. If the petitioner surrenders before the court below within a period of four weeks from today and prays for regular bail, the same would be considered by the court below in accordance with law without being prejudiced by the order of this Court.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

